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6 North America Corp. and Infineon Technologies
AG.

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8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11
12 **In Re DRAM ANTITRUST**
13 **LITIGATION**

14 This Document Relates to:
15

16 *Petro Computer Systems, Inc., et al. v.*
17 *Micron Technology, Inc., et al.*, Northern
18 District of California, Case No. C 05 02472.

19 Master File No. M-02-1486 PJH
20

21 MDL. No. 1486
22

23 Case No. C-05-02472
24

25 **STIPULATION AND [PROPOSED]
ORDER RE: BRIEFING
SCHEDULE FOR DEFENDANTS'
RESPONSE TO SECOND
AMENDED COMPLAINT AND
OPPOSITION TO CLASS
CERTIFICATION;
DECLARATION OF JOSHUA
STAMBAUGH**

26 WHEREAS, the Plaintiffs in the *Petro Computer Systems, Inc.* action ("Plaintiffs") filed a
Motion For Leave to File a Second Amended Class Action Complaint (the "SAC") on June 29, 2007
pursuant to the Court's Order Granting in Part and Denying in Part Defendants' Motions For
Judgment on the Pleadings, dated June 1, 2007;

27 WHEREAS, pursuant to its Order dated August 17, 2007, the Court granted Plaintiffs'
Motion for Leave to File a SAC.
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1 WHEREAS, in response to the SAC, the Defendants¹ want to consider whether to file a
Motion to Dismiss pursuant to Fed. R. Civ. Proc. 12;

2 WHEREAS, the parties have agreed to extend the time for the Defendants to respond to the
SAC;

3 WHEREAS, the Plaintiffs filed a Motion for Class Certification on July 10, 2007 pursuant to
the Stipulation and Order Regarding Briefing Schedule for Class Certification Motion, entered on
July 6, 2007.

4 WHEREAS, the Plaintiffs filed Amendments Re: Motion for Class Certification on August
24, 2007, which redefines the proposed classes that Plaintiffs seek to certify pursuant to Fed. R. Civ.
P. 23, and incorporates certain paragraphs of the SAC into the Motion for Class Certification.

5 WHEREAS, the parties have agreed to extend the time for the Defendants to file their
Opposition to the Motion for Class Certification in light of these recently filed Amendments;

6 WHEREAS, attached to this Stipulation is a declaration of Joshua Stambaugh setting forth
the reasons for the requested enlargement of time, disclosing all previous time modifications, and
describing the effect the requested time modification would have on the rest of the schedule in this
case pursuant to N.D. Civil Local Rule 6-2.

7 WHEREAS, concurrence in the filing of this Stipulation has been obtained by each of the
signatories below from each of their respective co-parties and co-counsel;

8 It here hereby stipulated between the Plaintiffs in the *Petro Computer Systems, Inc.* action,
on the one hand, and the Defendants on the other, through their respective counsel, that:

9 1. The Defendants have until, and including October 1, 2007 to respond to the SAC,
including the filing of a Motion to Dismiss.

10 2. If Defendants file a Motion to Dismiss the SAC, Plaintiffs have until, and including
October 31, 2007 to file their Opposition brief.

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¹ As used herein, "Defendants" refers to all of the named defendants except Samsung Electronics Co., Ltd., Samsung Semiconductor, Inc., Winbond Electronics Corporation, and Winbond Electronics Corporation America, Inc.

1 3. If Defendants file a Motion to Dismiss the SAC, Defendants have until November 19,
2 2007 to file any Reply Brief in support of their Motion to Dismiss.

3 4. The hearing on any Motion to Dismiss the SAC filed by Defendants will be set for
4 December 12, 2007.

5 5. The Defendants have until, and including, September 28, 2007 to file their Opposition
6 brief to the Motion for Class Certification.

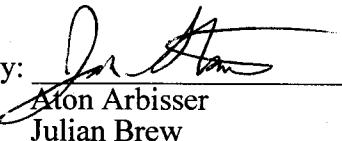
7 6. The Plaintiffs have until, and including November 9, 2007 to complete discovery of
8 Defendants' class certification experts.

9 7. The Plaintiffs have until, and including December 17, 2007 to file their Reply brief in
10 support of their Motion for Class Certification.

11 8. The hearing on the Motion for Class Certification will be held on January 16, 2007.

12 Dated: August 30, 2007

KAYE SCHOLER LLP

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21 Attorneys for Defendant Infineon
22 Technologies North America Corp. and
23 Infineon Technologies AG

24 *[On Behalf of all Defendants]*

KAYE SCHOLER LLP

Dated: August 30 2007

COOPER & KIRKHAM, P.C.

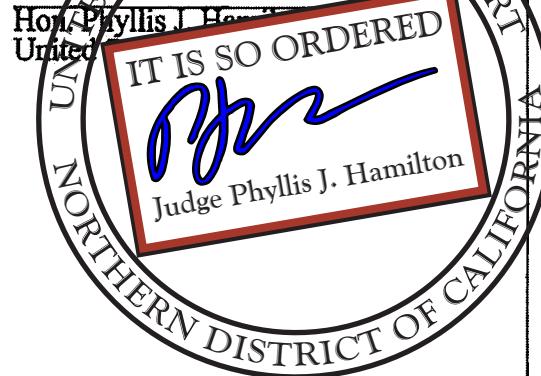
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*[Counsel on behalf of the Petro
Computer Systems, Inc. Plaintiffs]*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 4, 2007



DECLARATION OF JOSHUA STAMBAUGH

I, Joshua Stambaugh, hereby declare as follows:

1. I am an attorney in the law firm of Kaye Scholer LLP and counsel for defendants
2 Infineon Technologies AG and Infineon Technologies North America Corp.

3 2. In its Order Granting Leave to File a Second Amended Complaint ("SAC"), dated
4 August 17, 2007 [document No. 1683], the Court stated that Defendants would have until
5 September 17, 2007 to file their response to the SAC.

6 3. Pursuant to a prior Stipulation and Order filed by the parties on July 6, 2007
7 [document No. 1613], the Court Ordered that Defendants Opposition brief to Plaintiffs'
8 Motion for Class Certification would be due September 7, 2007, the last day for Plaintiffs to
9 complete discovery of Defendants' class certification experts would be October 5, 2007, the
10 Plaintiffs' Reply brief would be due November 5, 2007, and the hearing on the Motion for
11 Class Certification would be due on December 5, 2007.

12 4. On August 29, 2007, a partner in our office, Aton Arbisser, spoke via telephone
13 with Fran Scarpulla, counsel for the Petro Computer Systems, Inc. Plaintiffs, regarding the
14 scheduling in this case. On August 30, 2007, I spoke via telephone with Josef Cooper, also
15 counsel for the Petro Computer System, Inc. Plaintiffs, regarding the scheduling in this case.

16 5. During these telephone conferences, the parties agreed that Defendants should be
17 given additional time to respond to the SAC Complaint, which was not made a part of the
18 record until August 17, 2007 pursuant to Court Order. The parties agreed to request a
19 reasonable time for Defendants to file their response to the SAC, or until October 1, 2007.

20 6. If Defendants file a Motion to Dismiss the SAC, the parties also agreed that, in
21 light of this modification, it would also be appropriate to request additional time for
22 Plaintiffs to file their Opposition Brief until October 31, 2007, and for Defendants to file
23 their Reply Brief in support of their Motion to Dismiss until November 19, 2007.

24 7. In order to accommodate the Court's schedule, and to allow a reasonable time for
25 preparation of any Motion to Dismiss filed by the Defendants, the parties also agreed that it

would be appropriate to request a scheduling of the hearing on the Motion to Dismiss for December 12, 2007.

8. Also during these telephone conferences, the parties agreed that the Defendants should be given additional time to file their Opposition brief to the Motion for Class Certification, because Plaintiffs filed Amendments to their Motion on August 24, 2007, just fourteen (14) days prior to the current due date for Defendants' Opposition brief. The parties agreed to request a reasonable time for Defendants to file their Opposition, or until September 28, 2007. The Parties also agreed that, in light of this modification, it would also be appropriate to request additional time for Plaintiffs to complete discovery of Defendants' class certification experts until November 9, 2007, and to file their Reply brief in support of their Motion for Class Certification until December 17, 2007.

9. In order to accommodate the Court's schedule, and to allow a reasonable time for preparation of the Plaintiffs' Motion for Class Certification, the parties also agreed that it would be appropriate to request a rescheduling of the hearing on the Motion for Class Certification to January 16, 2007.

10. The requested time modifications included in the Stipulation filed herewith would have no affect on the schedule for this case other than the dates specifically included in the Stipulation.

I declare under penalty of perjury under the laws of the United States of America that
the above is true and correct.

Executed this 30th day of August, 2007 at Los Angeles, California


Joshua Stambaugh

1 STATE OF CALIFORNIA

2 COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and
 4 not a party to the within action. My business address is 1999 Avenue of the Stars, Suite 1700, Los
 Angeles, California 90067.

5 On August 30, 2007, I served the foregoing document described as follows: **STIPULATION**
 6 **AND [PROPOSED] ORDER RE: BRIEFING SCHEDULE FOR DEFENDANTS' RESPONSE**
 7 **TO SECOND AMENDED COMPLAINT AND OPPOSITION TO CLASS**
CERTIFICATION; DECLARATION OF JOSHUA S. STAMBAUGH

8 on the interested party in this action by placing a true copy thereof enclosed in a sealed envelope
 9 addressed as follows: **SEE ATTACHED SERVICE LIST**

10 [] **BY FACSIMILE** The above-referenced documents (without exhibits and attachments
 thereto) were transmitted via facsimile transmission to the addressee(s) as indicated above on
 11 the date thereof. The transmission was reported as completed and without error.

12 [X] **ELECTRONIC SERVICE** (SEE SERVICE LIST)

13 [] **BY FEDERAL EXPRESS** I am readily familiar with Kaye Scholer LLP's business
 practices of collecting and processing items for pickup and next business day delivery by
 14 Federal Express. Under said practices, items to be delivered the next business day are either
 picked up by Federal Express or deposited in a box or other facility regularly maintained by
 15 Federal Express in the ordinary course of business on that same day with the cost thereof
 billed to Kaye Scholer LLP's account. I placed such sealed envelope for delivery by Federal
 16 Express to the offices of the addressee(s) as above on the date hereof following ordinary
 business practices.

17 [X] **MAIL** I am readily familiar with the firm's practice of collection and processing
 correspondence for mailing. Under that practice it would be deposited with the U.S. postal
 18 service on that same day with postage thereof fully prepaid at Los Angeles, California in the
 ordinary course of business. I am aware that on motion of the party served, service is
 19 presumed invalid if postal cancellation date or postage meter date is more than one day after
 date of deposit for mailing in affidavit.

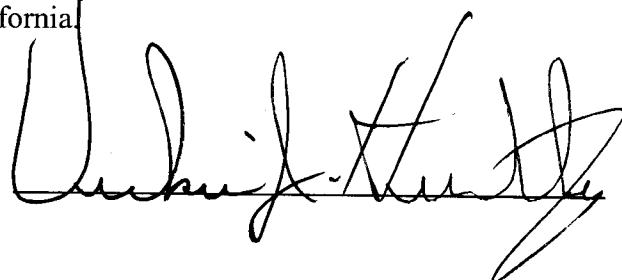
20 [] **BY PERSONAL SERVICE**

- 21 _____ by personally delivering such envelope to the addressee.
- 22 _____ by causing such envelope to be delivered by messenger to the office of the addressee.

23 [] **STATE** I declare under penalty of perjury under the laws of the State of California that the
 24 foregoing is true and correct.

1 [X] **FEDERAL** I declare that I am employed in the office of a member of the bar of this court at
2 whose direction the service was made.

3 Executed on August 30, 2007, at Los Angeles, California.

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5 Vickie J. Huntley 
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